

layer 404 as shown in Fig. 4D. Vias 414 are then etched in the first etch stop layer 403 as shown in Fig. 4E. The vias 414 allow the etching of the lower device layer 404 to release a structure 415 formed by a portion of the upper device layer 402 that is bounded by the etch stop layers 403 and 413 as shown in Fig. 4F. Specifically, the etch stop layers 403, 413 may protect the structure 415 during an isotropic etch process that removes a portion of the lower device layer 404 bounded by the first and second etch stop layers 403, 405 and the etch-stop trenches 411 to release the structure 415.--.

115 **DRAWINGS:**

Kindly add Figs. 4A-4F as shown in the attached drawing sheets.

120 **CLAIMS:**

Amend claims 1, 17, and 18 and add new claims as shown below:

- 1 1. (AMENDED) A method for a controlled release of
2 structures comprising:
3 a) forming one or more trenches in a layer of device
4 material;
5 b) **[filling the trenches with]** depositing an etch-
6 stop material in one or more selected trenches to form
7 one or more etch-stop trenches;
8 c) defining one or more structures between the selected
9 **[filled]** trenches; and
10 d) etching one or more portions of the device layer
11 between the **[filled]** etch-stop trenches to release
12 the structures, wherein the etching does not etch the
13 etch-stop material.

- 1 16. (AMENDED) A process for forming structures comprising:

- 2 i) forming one or more trenches in a layer of device
3 material;
4 ii) **[filling the trenches with an]** depositing an etch-
5 stop material in selected trenches to define one or
6 more structures;
7 iii) masking a surface of the layer of device material to
8 expose one or more selected areas of device material
9 that border one or more **[filled]** of the selected
10 trenches; and
11 iv) etching one or more of the selected areas of the
12 device layer to release the structures, wherein the
13 etching does not etch the etch-stop material.

1 17. (AMENDED) A comb structure comprising

2 a) one or more static comb fingers

3 b) one or more movable comb fingers that are movable with
4 respect to the static comb fingers; wherein the static
5 comb fingers, the movable comb fingers, or both are
6 formed by:

7 i) forming one or more trenches in a layer of device
8 material;

9 ii) **[filling the trenches with]** depositing an etch-
10 stop material in selected trenches to define one or
11 more structures

12 iii) masking a surface of the layer of device material
13 to expose one or more selected areas of device

14 material that border one or more of the selected
15 trenches; and

16 iv) etching one or more of the selected areas of the
17 device layer to release the structures, wherein the
18 etching does not etch the etch-stop material.
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1 20. (AMENDED) A MEMS device, comprising one or more
2 structures, wherein the structures have been formed by:

3 i) forming one or more trenches in a layer of device
4 material;

5 ii) **[filling the trenches with]** depositing an etch-
6 stop material in selected trenches to define one or
7 more structures;

8 iii) masking a surface of the layer of device material
9 to expose one or more selected areas of device
10 material that border one or more **[filled]** of the
11 selected trenches; and

12 iv) etching one or more of the selected areas of the
13 device layer to release the structures, wherein the
14 etching does not etch the etch-stop material.

1 23. (NEW) The method of claim 10, wherein the
2 structural layer is protected by one or more etch-
3 stop layers.

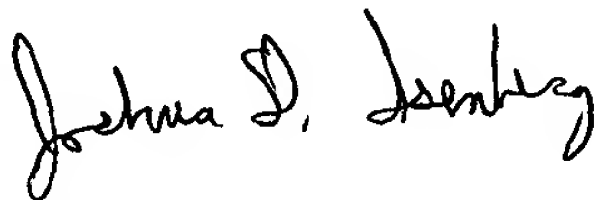
1 24. (NEW) The method of claim 16, wherein one or more
2 of the structures include a device layer protected
3 by one or more etch-stop layers.

1 25. (NEW) The device of claim 20, wherein one or more
2 of the structures comprises a portion of a device
3 layer bounded by one or more etch stop layers.

REMARKS:

5 The applicants submit that this preliminary amendment is
 being submitted concurrently with the filing of the present
 application. As such, no new matter is being entered with
 this amendment and entry of the amendment is proper.

10 Respectfully submitted,



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